

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**JUNE 17, 1998**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, June 17, 1998, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Mark F. Schroeder; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Melody C. Miller; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; Ms. Kathy Sexton, Budget Director, Department of Finance; Ms. Marilyn Chapman, Director, Election Commission; Ms. Deborah Donaldson, Director, COMCARE; Mr. Mark Masterson, Director, Department of Corrections, Mr. Steve Lackey, Public Works Director, City of Wichita; Ms. Stephanie Knebel, Capital Improvements Department; Mr. John Nath, Director, Kansas Coliseum; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; and Ms. Linda M. Leggett, Deputy County Clerk.

### **GUESTS**

Mr. Mike Roach, General Counsel, Eagle Med  
Ms. Ira Ballard, Co-owner, Ballard Aviation & Eagle Med  
Mr. Randy Nyp, CEO, Via-Christi Regional Medical Center  
Mr. Jace W. Hyder, Director of Trauma, St. Joseph Medical Center  
Mr. Niels Vernegaard, Chief Operating Officer, Wesley Medical Center  
Mr. Andy Bias, Assistant Executive Director, Wichita Metropolitan Family Preservation Agency

### **INVOCATION**

The Invocation was given by Mr. Pete Morris of the Christian Businessmen's Committee.

### **FLAG SALUTE**

### **ROLL CALL**

The Clerk reported, after calling roll, that all Commissioners were present.



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**PROCLAMATION**

**A. PROCLAMATION DECLARING JUNE 16 - 21, 1998 AS "FAMILY UNITY WEEK."**

**Chairman Schroeder** said, "Commissioners, I have that Proclamation before me which I will read into the record.

**PROCLAMATION**

**WHEREAS**, all citizens of Sedgwick County should recognize the importance of building strong neighborhoods through reinvestment in the family; and

**WHEREAS**, strong families are the cornerstone of strong communities, like the Sedgwick County, Kansas community which is home to thousands of families; and

**WHEREAS**, the future of our great nation, as well as, our individual future depends upon our ability to support parents in raising healthy, morally strong, capable youth; and; and

**WHEREAS**, the family structure is continually under attack from the forces of our environment which undermines our strength, value system and morality; and

**WHEREAS**, the Wichita Family Preservation Agency, and other such community organizations, working with schools, government, business and churches, recognize the benefit of providing support for rebuilding the community by restoring family dignity;

**NOW THEREFORE BE IT RESOLVED**, that I, Mark Schroeder, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Saturday, June 16 - 21, 1998 as

**"FAMILY UNITY WEEK"**

in Sedgwick County."

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**MOTION**

Chairman Schroeder moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Today we have Andy Bias here with us, who is Executive Director of the Wichita Metropolitan Family Preservation Agency. Welcome, Mr. Bias."

**Mr. Andy Bias** said, "Assistant Executive Director."

**Chairman Schroeder** said, "They promoted you Andy."

**Mr. Bias** said, "Well, on behalf of the Executive Director, Carrie L. Jones, and the Wichita Metropolitan Family Preservation Agency, I do thank you and of course, I do offer an agency invitation to each and every one of you to attend the June family affair on June 20 at McAdams Park. Now I did this last year, so I'm spicing the pot a little bit this year to make sure you have an incentive."

**Chairman Schroeder** said, "Well thank you, Andy."

**Mr. Bias** said, "Thanks again. I hope to see you all there. We've got events on Friday, Saturday, and Sunday. Friday starting at five o'clock over at the park, there's a blues and food festival. Saturday we have a parade and all day long we'll be out at the park. Sunday, we have a gospel explosion over here at the museum right across the street."

**Chairman Schroeder** said, "Thanks for being here, Andy. Thank you. Next item please."

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**AWARD PRESENTATION**

**B. PRESENTATION OF THE DISTINGUISHED BUDGET PRESENTATION AWARD FOR 1998 BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION.**

**Ms. Allen-Bouska** greeted the Commissioners and said, “A few times a year I have the privilege of doing something fun with you guys, and I believe this is one of the more enjoyable things I get to do. The Government Finance Officers Association is our professional association that has laid out some guidelines for us to achieve throughout the year. The most important document that we produce, and I believe one of the most important actions that we do is adopt a budget. We submit that budget in turn to the Government Finance Officers Association in which it is reviewed by our peers. I was going to say picked apart, but that is probably a little bit unfair. They review it for a policy document, a financial plan, an operations guide and a communications device. Please note, we’re not talking about numbers. What we’re trying to do is communicate to the public and that has been our goal with the document.

“This year, I’m pleased to announce that for the 15th consecutive year we’ve won the distinguished budget award and I have had a wonderful opportunity to work with the lady by the name of Kathy Bradshaw Sexton, who has put forth an extraordinary effort in order to get that budget done with a decrease in staff and some turnover this year. I am very proud to have worked with her this year and at this point in time, I’d like to ask Kathy to step forward and I’d like to present her the award. Kathy, thank you.”

**Ms. Kathy Sexton** said, “Thanks Becky, I really appreciate this. I certainly accept the award on behalf of the budget staff, and I’m very happy also to thank the County Print Shop and the County budget staff and certainly all the departments, especially the Commissioners. I know as much work as we did in our little cubicles putting this document together, the main work in this year’s budget was the tough decisions you all had to make and I enjoyed working with you and appreciate the award. Thank you.”

**Chairman Schroeder** said, “Thank you. Congratulations. Commissioners, I’d like us to take up an Off Agenda item at this time.”

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**MOTION**

Commissioner Hancock moved to take an Off Agenda item.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Thank you. I think Mr. Euson would like to open up this discussion regarding the ballot question with a historical perspective about advisory elections and then we can kind of go from there. Mr. Euson.”

**Mr. Richard Euson**, County Counselor, greeted the Commissioners and said, “Commissioners, the matter of advisory elections came to the attention of the Kansas Attorney General in 1994 when the City of Wichita asked for an opinion. The Attorney General at that time said that a city or county can use home rule authority to ask a County Election Officer to allow an advisory election within 250 feet of a polling place so long as two things occur, that the polling places for the advisory election remain separate and that the election judges and clerks cannot distribute, collect, or count ballots. The opinion went on to say that the election officer has discretion to allow, or not to allow the advisory election to occur. In April of this year, the Wichita City Attorney and myself asked the current Attorney General to revisit that opinion and further define it and give us some further guidance. We received a letter last week dated June 11, 1998, and after revisiting the opinion, the Attorney General said this, she said, ‘Issues regarding advisory elections are difficult to resolve because of the lack of clear direction provided by either the Legislature or by the Appellant Court.’

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“She went on to say that her office continues to adhere to the conclusions reached in the 1994 opinion but then she said, ‘it would not be expedient to challenge Sedgwick County in this matter. The state would be in the difficult position of trying to show irreparable harm in a temporary injunction action and, therefore, it would not be proper for the state to enforce that opinion.’ It is my understanding that the City of Wichita did pass a Resolution asking the Board of County Commissioners to place a question on an advisory ballot on a county wide advisory ballot with the question being, should the City of Wichita and Sedgwick County be consolidated into one government.

“There are several issues that are posed to the Board of County Commissioners in this matter. I think there remains some legal risks though be it small. Certainly the current Attorney General, or a new Attorney General or possibly even a District Attorney could seek a declaratory judgement action against the County if the County decided to do an advisory election. As I said, I think that risk is small, but that risk is there. It is not addressed in the Attorney General’s letter. Most of the risk falls upon the Election Commissioner herself, and she is placed really in an uncomfortable position. You have an issue as to the form of the question or questions that should be asked. That is an issue for you and finally, you need to decide what options are available to you. Do you go ahead and have an advisory election? Do you have one at the cost to the County taxpayers? Do you go ahead and tack it on and have it at either the primary or general and ask Marilyn Chapman to do it at her cost or do you do a mail ballot election which would also be at the cost of the County?

“One of the difficulties in this matter is that there are no rules applied by the Legislature and the Board of County Commissioners by home rule, can only make some of those rules. Certainly, another difficulty is one that was aptly pointed out by the County Manager yesterday and that is when people vote they expect some kind of a result. If they are voting on a matter involving an advisory election there is not necessarily a result that follows from their vote. So that is a very real difficulty for you and that is kind of the history and perspective of where we’ve been and where we are now and I’ll be happy to answer any questions.”

**Chairman Schroeder** said, “Thank you, Rich. Discussion? Commissioner Hancock.”

**Commissioner Hancock** said, “Mr. Chairman. Thank you, Rich, appreciate that. I have to say that in the last week or so we’ve kind of been in a decision making mode on this and how we were going to approach this ballot. The Board of County Commissioners, as far as I know from my understanding and their comments and some of the few discussions I’ve had with my colleagues, they are certainly ready and willing to address the issue of merging the City and County governments, issues of consolidation, issues of functional consolidate with the City of Wichita. In my ten years since I’ve been here, I don’t think there has been a better mood for this and a better time.

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“Economically, the City of Wichita and Sedgwick County and the whole area is doing very well. I always think we should address difficult questions from a position of strength and I think we’re prepared to do that in Sedgwick County. So I don’t want to send the message out there that in any way are we unwilling to examine this question. I do have to offer today a compromise solution for the dilemma that we’re in.

“I spoke to the Election Commissioner last Friday and she was very unhappy with the prospects and certainly had lots of questions concerning this particular question and putting it on a ballot during either a primary or a general election. On Monday, I had the opportunity to speak with Mayor Knight. On Friday I agreed with Marilyn and on Monday I agreed with the Mayor that this is probably a pretty good idea. We ought to put this on the ballot and get on with it. Then on Tuesday I spoke with Marilyn again and you talk about wishy-washy. I guess I’ve been all over the board on the thing. But I had to sit down and calmly reflect on what is really best for the future of the voters of the County and with all due respect for the Mayor and I must apologize, I have agreed to his position and I have agreed to Marilyn’s position and both of them made good cases. I’m willing to offer some kind of a compromise here in that we do more than simply ask the question here, shall the City of Wichita and Sedgwick County consolidate. What I’m offering is that we do in fact do an opinion poll, but a little bit different and following different rules than a mail ballot or even a question asked during an election cycle as during a primary or a general election. That we not only ask shall we compromise, we try to go one step farther, that we try to understand why folks believe consolidation is a good idea, we try to understand what to expect from consolidation in the future, and we try to understand, if possible, some of the short comings that we have as two separate entities here in Sedgwick County. We have two very good, in my view, units of local government who do things in a good way. So I think we could do a better job of asking the question and I think we could have a clearer understanding of what the opinions of the folks out there. . . if they are willing to be just a little bit patient and maybe due this in early August or early September, in time for us to understand the answers a little bit better and even in time to go to the Legislature next year and seek some kind of legislative action.

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“That’s my proposal. It will cost a little bit of money to do that. It will not cost us as much as a mail ballot however, because the rules are significantly different with bulk mail and so forth. I also do this because I believe that the ballot during the primary session and the general session should be decisions. We vote to elect people to office and when we have questions put on those ballots, we expect those decisions that the voters make to stick. I think the expectation is there and we shouldn’t jeopardize the integrity of folks walking into a secret ballot and making decisions that are non-binding. I think it is important that when folks vote, they expect their votes to count and they certainly should. Significantly disturbed by the Attorney General’s opinion. I think we also need to go to the Legislature next year and pose legislation to clear up some of the ambiguity associated with advisory elections and if legislatures’ intent is that we can have them, then let’s have them. If it isn’t, then let’s not have them. Let’s not have the question hanging around any more.

“I certainly respect the decision of the City Council in asking this question and I certainly want to accommodate them to the extent that I can. I think they need to understand the dilemma the Election Commissioner is in and also need to understand the dilemma we face regarding future advisory elections here in Sedgwick County should the question not be addressed by Legislature and should the ambiguity that we are talking about persist. So I’m offering the compromise that we do an opinion poll, that we seek from the City some help in financing an opinion poll and if not, then we’ll have to address that question and go forward. But as far as I’m concerned, this Commissioner is very much interested in getting on with it. Let’s find out what is going on out there among our citizens and let’s make some decisions and let’s create some kind of a government that we feel secure will do the things that we need it to do for us. Thank you, Mr. Chairman.”

**Chairman Schroeder** said, “Thank you. Commissioner Winters.”

**Commissioner Winters** said, “Thank you. I guess I’ve changed my mind, maybe not quite as many times as you have Commissioner, but I’ve kind of been in the same place. When we first started talking about this I thought that is we had an advisory election that would be an all right thing and I would certainly support that. After I visited with Marilyn last week and got a clearer understanding of her ideas about the integrity of the ballot, I began to get a little bit of a different opinion. As I looked at the question that we’re trying to ask the citizens, I’m not sure that it is a simply one question answer. I think the term consolidation is out there. It means a lot of different things to a lot of different people. So, in my mind, I was working from the fact, okay it may be all right to have one advisory question on the ballot and maybe we could go to the Election Commissioner, Secretary of State, and say we want to put one question on there. Well how about two or three to make it a little bit more clear. Well, then I think you really do begin to infringe on the integrity of the ballot.

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“I mean, is this a regular general election to elect the Governor and our Senators or is it an opinion poll operation where we’re trying to gage the feelings of our citizens. I then kind of backed away from the advisory question on the ballot but still am certainly wanting to do something. I received a note from Rich Euson yesterday, I believe and I see that Marilyn is in the room and she might want to address this. I guess I need a little more description when you talk about opinion poll. I would envision something again where we would have something in front of one, either everybody who is voting that day, or that we do some kind of mailing to every registered elector in the County. Then it would be my understanding that even if we mailed to everyone, if we weren’t following the regulations of a regular mail ballot, which means it could be sent at bulk mail rates, that there could be significant savings. So Commissioner Hancock, I’d either ask you or Marilyn if you could help me understand a little more when you say an opinion poll, what that really means?”

**Commissioner Hancock** said, “What I had in mind thinking about this, is I think you’ve heard me say over and over again a number of times, that the question that we have proposed by the City is, I think the results are going to be obvious. I think we’re going to come back with the folks who live in the City of Wichita are probably going to answer yes and I think the folks who live outside the City of Wichita are going to answer no. I’m not sure what that tells us or anything new. We understand that. I’ve been through the discussions and I’ve been through the whole debate on this issue before. I don’t think things have changed much. It just doesn’t make sense to go out and ask folks like we did in 1992, do you want to consolidate and the answer came back yes, we do. What we need to do, in my view, is quit doing the same thing. We did this in ‘84 and we had a metropolitan area government study. That time it was called metropolitan government. Now it is consolidated government. We’ve even changed that now, going into merging, a merged unit of government of some sort. We keep asking the basic question and not hearing the answer and it just doesn’t make sense to keep doing the same thing over and over again and expect any different results. It is time to change our paradigm on the thing to look at questions that we’ve never asked this question County wide before. A question of can we consolidate, to me just doesn’t make much sense. I want to know why you want to consolidate, if you do, and I want to know why you don’t want to if you don’t want to. I want to know what you expect from a new kind of government that you’re not getting from this one. I think five or six questions, if they are intelligently drawn, can answer that question for me.”

**Commissioner Winters** said, “I agree with that. I just don’t understand how we’re going to do it?”

**Commissioner Hancock** said, “The mechanics of it?”

**Commissioner Winters** said, “Yes, the mechanics of it.”

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**Commissioner Hancock** said, "Well, I don't know if we've decided all that yet, but basically in my discussions with Marilyn, and maybe she can help me with this, but basically just an opinion poll that we use our registered voter list and send it out bulk mail."

**Commissioner Winters** said, "I wouldn't be real supportive of this, We'll survey 500 people. We need more than that."

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "Please understand that we've just looked at this in the last several hours. One of the things that has crossed our minds would be to use the mail ballot system. But since it is not an official election, you don't have to follow all the same rules, because the outcomes are non-consequential. No matter what the vote is, no action is going to take place. No one is going to take office, or no bonds will be sold or those sorts of things. So that you don't have to send the ballots on the first class rate, you can send them bulk rate. The plan, as we speak, would be to take all the registered voters in Sedgwick County and send them a ballot, which would have a series of questions on it with a return envelope. Whether that was stamped or not, we'd have to figure that out and have it sent back as if it were a ballot. In this way, we could gage from that information what the registered voters of Sedgwick County thought about an issue. Now that would not be a scientific poll. The results would not be accurate within 2% or 5% or whatever the pollsters tell us. But it would be an indication, by the people who are registered voters in Sedgwick County, in as close to the election process as you can get, but since it is an advisory election you could do it this way. We understand, we know to whom the ballots are mailed, and a mail ballot has a much higher percentage turnout than other elections. That we know from other studies that have been done around the country and the experience here. So there would be ways in which to ensure a high percentage of returns. So, when we say opinion poll, we don't really mean that we are using pollsters and doing a statistical survey by age, race, gender, location and that sort of thing. We're not going to go out and test the market in that fashion."

**Commissioner Winters** said, "What kind of time frame are we looking at?"

**Mr. Buchanan** said, "It seems to me that the development of the questions would take some time. We could have this ballot in the people's hands sometime in September or October maybe. Maybe October would be more likely."

**Commissioner Winters** said, "Okay. Could I ask Marilyn a question? Marilyn."

**Ms. Marilyn Chapman**, Election Commissioner, said, "Good morning."

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**Commissioner Winters** said, "In hearing this brief discussion about an advisory election taking place at a separate time and in a separate way from the general election. Does that make sense to you?"

**Ms. Chapman** said, "Yes, it does make sense to me."

**Commissioner Winters** said, "Does it make more sense to you than having one or two or three advisory questions on the regular ballot?"

**Ms. Chapman** said, "Yes, it certainly does."

**Commissioner Winters** said, "Have you had discussions with the Secretary of State about this advisory question and can you share with us what his opinion is?"

**Ms. Chapman** said, "I have not received an official opinion from him. We have discussed it and both of us are concerned about the integrity of the ballot when you add additional things that are not binding questions. You know that I am the first one that says we don't tell people they can't vote. But when you get right down to it, this is not a vote, it is giving an opinion, which we also want to know. I think that by doing it in a separate way, surely you would get the hoped for results."

**Commissioner Winters** said, "Do you have any estimates of the cost of doing a mail advisory election that is not very official, but yet still takes place?"

**Ms. Chapman** said, "I really don't. The most expensive part of an official mail ballot is the postage. So what kinds of postage rates we might be able to use for this and whether we chose to pay the return postage or asked the voter to do that would be a very deciding cost. I think if we were going to do an official mail ballot election it would cost in the neighborhood of probably \$120,000. I am sure we could do an unofficial mail ballot, as it were, for half of that at most."

**Commissioner Winters** said, "Thank you. Commissioner Hancock, would it be your opinion that we'd ask the City to share in that and even if they didn't, we'd pay the whole thing anyway? That is not a very good way to negotiate. Tell the other side that they can just say no and we'll pay for it. A number of their Council people think this is a very important issue and I think we would certainly offer them the opportunity to share in the cost with us. I'd be surprised if they did, but we certainly ought to see if they're as interested in it as we think they are."

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**Commissioner Hancock** said, "I would hope they would be. They've expressed an interest, almost to the person, in doing this. At least no one has voted no on anything so far. When they discussed the question, I think they got 100% yesterday on their vote. I don't think Councilman Kamen was present during the vote. I think if the interest is truly there, that they are really interested in understanding what consolidation means to the community and whether we should proceed or not and design new governmental structures. While cost certainly has to be a consideration, something this important, we ought to be willing to spend a little money on it to find out the information. This is something that every citizen in this County has an interest in. This is not a district. This is not in a particular area. Every citizen in this County has an interest in this and should have an interest in this. This is going to directly affect governmental structure in the future of this County and every city in it. I think we, as decision makers, and I'm speaking here for the Council too, should be willing to put out a little bit of money to do the research, do the leg work, and make good decisions based upon what we learn. So the answer is yes, I want to spend some money and do it."

**Commissioner Winters** said, "Maybe others have some comments, but I'm going to be supportive of this. Again, for the reasons you expressed, but certainly then for the reasons that I think of the integrity of the ballot are important and I think it is going to take more than one question to find out what the people are thinking about. I think that would really hamper what we're really going to be doing on the first part of August in the primary and the general election. I'll be supportive of that."

**Chairman Schroeder** said, "Thank you. Commissioner Miller."

**Commissioner Miller** said, "Thank you, Mr. Chairman. In listening to the conversation that has been going on in somewhat of a dialogue fashion, I'm a bit puzzled, but yet I do have some commentary that I would like to make. First of all, Commissioner Hancock, all of the questions that you've raised that could very well be placed on an opinion poll I think are valid questions. I think they are probably questions that have been asked of the public residents that reside within Sedgwick County before in forums and in the form of opinions that we've asked residents to give. I think we've been able to capably place residents of Sedgwick County and that does not solely include the City of Wichita residents because we know that Sedgwick County is made up of 19 other cities or made up of 19 cities with the City of Wichita simply being the largest one and the most populated one, that indeed we can almost prefab or precut where their sentiments lie. We can say, we can almost honestly say that the City residents are going to say yes, we want to consolidate and that the residents that live outside of the City of Wichita are more than likely going to say no we don't."

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“There is some fear factor and some questions, some unknowns, that challenge and plague, if that is another point that we want to make, decision making. But my question would be, and I have no problem with asking and formulating those types of probing questions and queries of the public again. But my question would be and I don’t know if Marilyn Chapman . . . she is still here, Marilyn, would you please come to the podium. There is a question that I have in terms of the number, the percentage of residents that are registered to vote and would actually participate in this type of . . . I don’t care if it is a primary election and an advisory election, a special election, what percentage of residents would we actually be reaching and even putting this on and paying for jointly with the City of Wichita or solely by ourselves?”

**Ms. Chapman** said, “Approximately 75% . . .”

**Commissioner Miller** said, “That would actually come to the polls. . .”

**Ms. Chapman** said, “Of the voting age population in Sedgwick County is registered to vote. Primary elections are real hard to predict voter turnout because traditionally only the voting republicans and voting democrats do come to vote. You do have to be affiliated with one of those two parties to vote for a candidate in a primary election. Even though, if you were not affiliated or belong to one of the minor parties, you can vote for questions that are on the ballot. Our experience shows that not very many people come just to vote for the questions. I would anticipate a 60% turnout among the republican and democratic voters in the primary, which overall is a lower percentage of those who are interested. In November elections, we could probably anticipate a 65 to 70% turnout of those who are registered. That would include everybody.”

**Commissioner Miller** said, “That seems high and I’m excited to hear that, that actually 60% would turnout and vote in a primary election.”

**Ms. Chapman** said, “That is only of the republicans and democrats, so about 25% aren’t even included in that.”

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**Commissioner Miller** said, "Certainly I would think their comments would be warranted for Sedgwick County to be able to listen to . . . what I'm coming to, what I'm getting at, is that in being able to poll, call it an opinion poll, call it a special election, we are still reaching a very small segment, well, not small, but certainly not the majority of Sedgwick County residents, which is who I believe we are wanting to hear from. When we talk about the issue of consolidation, I can easily say that it would not be difficult for me to ask for the City of Wichita to dissolve. I believe there was an editor that actually wrote it in that manner. That makes the most sense. When you think about that, you think about how can we best educate the public, which is what I feel and what we as a Commission are attempting to do, prior to asking a question, a binding question on a ballot that would require them to come and make their statement by way of voting and then for an action to be taken that they, the public, can see followed from this making their statement and voting. I'm thinking that a special election is not necessarily monetarily the best avenue for us to go. Does it matter if it's tied to the primary, to the general election, special off to the side, or an opinion poll, I have been of the mind set and it may be a minority mind set on this Commission, so be it, that we as a County should be taking the reins on this issue, and I know that you are one Commissioner and that the majority of us, I think are probably very interested in looking at how we can do this, but I know you have pushed this Commissioner Hancock. But I am of the mind set that we simply need to be about the task of being the leadership, taking the reins, and moving this County in the direction of whichever direction the input that we get from County residents. County residents again are not just the City of Wichita. It is total County. In doing that, I would probably be able to fall back easily upon the focus groups that we pose and put together and probe for information, comments from the County when we did solid waste, when we were working along those lines. I think that yielded and netted us two things. First of all, an alliance with the residents, because you're in the process of informing them and educating them and giving them an opportunity to be a part of this, some ownership in it. Just to simply put it on a ballot, or in the form of an opinion poll I don't think does us or the residents the justice that is necessary in being able to deal with this very broad but yet it may become one of the really molding questions for this County for years to come. So there are my comments. As I said, simply commentary but I think appropriate. Thank you."

**Chairman Schroeder** said, "Thank you, Commissioner Miller. Other comments or questions? Commissioner Gwin."

**Commissioner Gwin** said, "Just real quickly. I think Commissioner Miller does have some points. I don't know how we respond. I think my interest today is in responding to the City's request from their action yesterday. I do concur that community discussion was helpful. Folks learned about the issue and were able to express themselves without being intimidated or anything else because they were talking to their neighbors. That process was a very healthy one."

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“One of the things I could see we might gain out of asking folks some questions might be, before we head to those discussion groups, to let them identify some of the concerns they have. To let them identify some of the priorities or the next steps toward consolidation, whether than be functional or governmental. Maybe we could get some direction for them and identify and frame some of the issues, if you will, by asking questions first and then convening discussion groups after we’ve identified some of the concerns and areas they are most interested in. I think they might very well go hand and hand as we proceed to try to take action upon what the public tells us they’d like to see done now and in the future. I see that they might both very well work in concert. I think I could support Commissioner Hancock’s effort because I think I agree that this is more than one question. This is more than a yes or no answer. I think we need to learn levels of support or non-support. I think we need to learn what the public’s priorities are and what they’d like to tell us their priorities are and what they’d like to see as their first step or the next steps in this process. I think we could certainly ask, would you be wiling to participate in a community discussion regarding these issues. That is certainly a fair question to ask folks. We might be able to gleam what kind of interest there is out there in their discussing of those things. I think I could support Commissioner Hancock’s idea and certainly would see that dove tailing to what you’ve said. I think that is a nice step as we go forward.”

**Commissioner Miller** said, “I have a clarifying question. This would be a special election, not an election . . .”

**Chairman Schroeder** said, “Just an opinion poll.”

**Commissioner Hancock** said, “The City did an opinion poll six months ago or longer.”

**Commissioner Miller** said, “We’re not taking about . . . when you say opinion poll, this is something that is going to be mailed out but not asking them to go and vote on, just simply a form.”

**Commissioner Winters** said, “Simply a form. Mark your preference and mail it back. But it will be something that every registered voter in the County would have this mailed to them.”

**Commissioner Miller** said, “I misunderstood.”

**Commissioner Gwin** said, “I like it better than just sending it to 500 folks. I want it to go to everybody possible.”

**Commissioner Miller** said, “Okay.”

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**Chairman Schroeder** said, "Thank you. I'm going to be supportive of the concept. This morning, I was tackled in the hallway by Commissioner Hancock and the Manager about the issue?"

**Commissioner Gwin** said, "Are you okay?"

**Chairman Schroeder** said, "I'm fine now. Anyway, just previous to that, I'm like Commissioner Hancock, I'm back and forth on this. But the Mayor and I and Commissioner Hancock ran into each other out at the grain elevator when Secretary Glickman came to town and we discussed it briefly. I told him that we would obviously consider this on our agenda this week, take it up Off Agenda. I appreciate your patients today ladies and gentlemen, the people who are here for other items on our agenda, but we felt this was important to get on with. We did a Wichita Assembly I think it was called back in '92."

**Commissioner Hancock** said, "It was '91."

**Chairman Schroeder** said, "In 1991. That was fine. However, I'm a little more interested in what the general public has to say about the issue at this point. The feedback I got there was more or less predictable. I have won two elections since then and when I went door to door, I didn't find a lot of people asking me why doesn't the City and the County consolidate, et cetera, et cetera. The greatest discovery I had was Mayor Hudnut, who was from Indianapolis and he was quoted as saying, 'if you're going to consolidate to save money don't do it because it doesn't save money.' They had done it. Now my understanding, there was something like seven square miles of the unincorporated area left outside of the city. At this point, we're far from that, but there are other issues to look at which I've been told include other efficiencies, ease of getting things done through your government, but you have to realize and there are a lot of different things that the City and the County do. We're not necessarily mirroring what they do, nor they mirroring what we do. By State law, the County is an arm of State government. We have a lot of duties to perform based upon state law, Kansas statutes, and we do them and I think we do them very well. As a matter of fact, we have the discussion going now as to how we deal with the three row offices, the Clerk, Register of Deeds, and Treasurer. We think it is important that we do it the best we can and that is why we are looking at how that might look different some day.

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“Back to the issue of community involvement. I’ve always thought we needed more generalized involvement of the community, not just the movers and shakers of the community. I think we probably all know most of those folks and they are good folks, hard working people that support our community. But there are over 400,000 people that live in Sedgwick County and I think we need a better cross section of what this community thinks and believes. I know from my own experience, when Councilman Ferris asked that we conduct hearings after the Wichita Assembly throughout the community, I think we did six. I’m thinking back, my memory is kind of vague, but I think we did five or six hearings. I remember two, one was at the Zoo and it was packed full of people who were just adamantly against consolidation. The other that I remember so very well was at Edgemoor Park. We had 10 or 20 staff and 6 citizens show up and all of them said no.

“We keep rehashing this issue over and over and bless his heart, Phil Lambke came in to see me a few months ago about this issue. I tried to reflect with him on some of what had happened in the past. Frankly, I guess he wasn’t interested in it at that time. He couldn’t recall any of the hearings and that bothered me a little bit. I know that we have to educate one another, but I hate to see us spend hundreds of thousands of dollars going through this process or whatever it is going to cost, a lot of staff time included, to educate ourselves every few years about the issue. That’s okay I guess. If we have to do that, I guess we have to do it, but to me it becomes a little redundant. However, the idea that Commissioner Hancock has is to initiate a poll, if you will, with multiple questions. Makes a lot of sense.

“I have to apologize to Mayor Knight because I told him out at the grain elevator that I thought we would take this up, discuss it, and I’m sure we would do something and the same thing they were doing. However, we had not thought it through, obviously, and there is some new concepts and new ideas and that’s what makes this government in this community work so well is that we have the opportunity to agree and disagree and discuss the issues with one another and ideas. That’s what we’re doing today. We’re discussing out loud how we think is the best way to approach this issue. I hope that the City bears with us through this process. This isn’t something to try to derail what the Mayor would ultimately like us to do. It is a different way to get there. I think all of us have different ideas of how we conduct our daily lives and this is one of these issues where there is a multitude of ways to get the information we want. I think that is the discussion we’re having today. My concern is that if we’re going to involve the public, let’s truly involve the public in the discussion. I think the only way you can do that in earnest is to put a poll out there for the people to put their ideas down on paper. When I say that, we give them a multiple choice list of questions and let them tell us what they think. I know my preference would be to have 400,000 people come to meetings but I think that is unrealistic. The closest we can get to that is to do what Commissioner Hancock is asking to do and that is to conduct some kind of a poll.

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“I would like to say whatever the results of that poll would be, I would hope it would be final, but I don’t think it will be. Whether it passes or whether the community says we need to do it or not do it, I think you will continue to see it over and over and over. At least, at this point, I think the County Commission is saying let’s get a true voice from our voting public of what they think about the issue. I think that is the best way to proceed. I’ve always said that I don’t mind us finding out what we all think about the issue. At first I was unwilling, because I’m concerned that if we put something out there for the people to vote on and in this case it would have been non-binding, they don’t know what they’re really voting on other than to discuss the issue. Maybe they would say yes and they have an idea that consolidation would look like this and the County and City come up with a government that looks like this. That can be upsetting to a lot of them. They may have their preconceived ideas of what it ought to look like, so do we, so does the Council. I think we’re on the right track and I’ll probably find out tomorrow in the paper that we’re not. I think we’re on the right track. I think we are voting our conscious here today. I don’t know what the outcome of this is going to be. I don’t even know what the question is going to be that we’re going to vote on exactly. I think we’re giving ourselves every opportunity to succeed and we’re allowing the public to help us in that process. Commissioner Hancock, thank you, I appreciate your foresight in the issue. Anyway, that’s where I’m at at this point. Commissioner Gwin.”

**Commissioner Gwin** said, “Just real quickly, I would hope the City would support our action this morning. I think one of the first questions I’m prepared to put on that poll is the question the City Council wants to ask, the one they asked yesterday. I’m prepared to put that on. I’m also prepared to mail one of these to every registered voter in this County. I believe that will get more attention than placing it on a primary ballot. I would be hopeful that we’ve taken steps that they can and will support or that we’re about to. It answers their question and it gets it to more folks. It puts it in the people’s hands. I’m hopeful they’ll be supportive of our actions. Thank you, Mr. Chairman.”

**Chairman Schroeder** said, “Thank you. Commissioner Miller.”

**Commissioner Miller** said, “Actually, I’d prefer to hear what Commissioner Hancock has to say first.”

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**Commissioner Hancock** said, "Well, I was just going to respond very quickly and move on. I think the reason for the poll and the basis of it is that we have discussed this issue for 20 years. Obviously, there is a desire among a certain element of the citizens to make some changes. My experience here on the Board of County Commissioners in the last 10 years, I agree, I think there needs to be a structural change in how we govern here in Sedgwick County. I've got some ideas in regard to that but probably I'll be proposing soon enough. I think any poll we give out should be a basis for decision and for action. I think the time for . . . within that framework of decision and action, is going to be discussion. This should not be a basis for further discussion. Let's get on with it. Let's make some decisions and get past this issue and let's try a new structure, one that folks can accept. We won't know what is going to work for them unless we hear from them. That is very important in this poll. I'm ready to make a motion but I'd like to hear what Commissioner Miller has to say."

**Commissioner Miller** said, "I was simply going to say that I am going to be supportive, understanding that indeed it is just that, a pulse reader going out to the public, broadly. We're going to send it to every registered voter. Is that what I'm hearing? We're going to send it to every registered voter. I would solicit the support and encourage the City of Wichita, just as Commissioner Gwin has said, to be partners with us in this and any other city that is within the County. We keep talking and framing this as the City of Wichita and Sedgwick County. Once again, there are 19 cities that make up Sedgwick County. We cannot forget that. Their input is extremely important. In framing the questions, is that something that we're simply going to talk about at another time and that we need to move on?"

**Commissioner Hancock** said, "I would suggest this. I think it is really rotten of me to bring this up, to spring this surprise on you guys and the City Council and I do apologize for that. This is not a very good relationship. What I would suggest is that we give the staff two weeks to decide how this could be carried out, find out some costs associated with that, what all the logistical problems would be, and also give the City of Wichita time to respond and maybe even visit with them about this one on one in the next 14 days or so. Then we'll bring this back and vote this thing to either go forward or modify it, whatever we decide. Whatever information that comes to us to help make possibly a better decision. I would suggest that . . . I listen to all of you and I'm thinking about my relationship with the Mayor and other Council Members. I don't want to surprise them. I want to give them an opportunity to respond. I don't want to do anything that would jeopardize any relationship we have with them in regard to this matter. Would it be okay with you if I made a motion to defer this for two weeks."

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**MOTION**

Commissioner Hancock moved to defer this for two weeks and direct the Manager and staff to come back with a cost analysis, logistics, and provide time for the City to respond.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Commissioners, thank you for the discussion. Next item please.”

**NEW BUSINESS**

**C. DISCUSSION REGARDING HELICOPTER SERVICE.**

**Mr. Buchanan** said, “You have information before you regarding the helicopter service for Sedgwick County. You asked, a week or two ago, that this be placed on the agenda so that we could present some information to you and some recommendations. As you are aware, Sedgwick County has had a contract with Lifewatch and its predecessor since August of 1980. That contract continues in full force and effect and can be, with 90 days notice by either party, renegotiated or other things can occur through that notification. We also know that Eagle Med is in business and is prepared to operate a helicopter service with Sedgwick County. We’ve asked, through Tom Pollan and the Emergency Medical Service, EMS, we have asked the Medical Society and others as it is our protocol to review this information and give us their advice regarding that service.

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“You received a letter on June 9 from the Medical Society regarding their opinions about the benefits and detriments that would occur if it were to occur. It is in our opinion that clearly there is an opportunity to provide additional service to Sedgwick County with two providers with conditions of course. As the Medical Society indicated that it would be necessary, if the citizens of Sedgwick County were to benefit from two services, that the agreement would need to be reached with both of them so there would be a cooperative and collegial existence to provide 24 hour coverage that when one service is down for maintenance the other would be available. We cannot control, nor do we think we should control when their out of town and what to do regarding that so they may be out of service at the same town bringing patients back to the community from elsewhere.

“It would be our recommendation, you received a memo from Michelle Daise, Assistant County Counselor, regarding this issue. It is our recommendation that we begin negotiation. That we notify Lifewatch that we are prepared to renegotiate that contract and begin that process and at the same time prepare to negotiate a contract with Eagle Med so that we can work out the protocols of how they would be called and when they would be called on a rotating basis. If there are any questions, we’d be happy to answer them.”

**Chairman Schroeder** said, “Commissioner Winters.”

**Commissioner Winters** said, “Is there a connection between the contract with Lifewatch and negotiating a new contract with Eagle Med?”

**Mr. Buchanan** said, “Yes.”

**Commissioner Winters** said, “Thanks.”

**Chairman Schroeder** said, “Okay. See no other questions Mr. Buchanan.”

**Commissioner Miller** said, “I do have a clarifying question Mr. Chairman. Mr. Buchanan, within the contract, are the contracts going to be solely and exclusively between Lifewatch and Sedgwick County and Eagle Med and Sedgwick County or is there any other entity, and I’m speaking of HCA Columbia Wesley or Via-Christi? Are either of those entities involved in these contracts?”

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**Mr. Buchanan** said, "At this point I don't know. I believe the initial contract is with Lifewatch and Eagle Med, it is my understanding is an independent contractor, although there are business relationships for each of the hospitals that benefit each of those institutions. The issue for us it seems to me in emergency situations and lets recall there are somewhere between 23 and 25 a year that occur in Sedgwick County. Which helicopter will be called and under what circumstances. What are the protocols and we need to agree upon those protocols. They need to be one system. We wouldn't want our EMS folks . . . people in the field get to make the determination as to whether the helicopters need to be called or not. We need to agree upon the protocols. We need to agree upon the cross training which currently exists with Lifewatch and the medical as with our procedures with other EMS issues, there are medical protocols as to how to proceed and we would expect each of those companies to follow those. That is the determination that the Medical Society is currently looking at."

**Commissioner Miller** said, "Thank you. Is there anything that you'd like to add?"

**Mr. Euson** said, "Commissioner Miller, I would like to clarify that the current contract, which was executed in 1980, is with Wesley Medical Center."

**Commissioner Miller** said, "So it is with Wesley. Thank you."

**Chairman Schroeder** said, "Any other questions? Go ahead."

**Mr. Buchanan** said, "You do have a proposed action, a Resolution that we've prepared for you."

**Chairman Schroeder** said, "Do we?"

**Mr. Buchanan** said, "Maybe not."

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**Chairman Schroeder** said, “Why don’t you check on that. Before we get into discussing action, I know we have some individuals who would like to speak to this item. However, I want it understood, I know we have people from both sides of the street on this issue. This is not a public debate. This is not contract negotiations. This is merely understanding each sides view of how they perceive their service. I think what our goal is here today is to understand where Via-Christi is and where Wesley is on this issue with their proposed services. That is what we want to hear, how you propose to serve the public and how you may be unique, if you will. So I do have a letter here form Attorney Michael Roach who represents the owners of Eagle Med. He has indicated that he himself would like to speak, the co-owner would like to speak, the CEO of Via-Christi would like to speak and Dr. Hyder, trauma surgeon and member of the Sedgwick County Medical Society would also like to speak. Are those four people here today? Do we have representatives from Wesley here today who would like to speak? How many of those people are here who would like to speak? Just one, okay, very good. Thank you. So we do have five individuals who would like to speak. Since I do have this letter from Mr. Roach dated June 16, I think I will let you proceed and let your speakers make their presentations and then we’ll let Wesley make their presentation.”

**Mr. Mike Roach**, General Counsel, Eagle Med, said, “Thank you Mr. Chairman. We’re very happy to be here and we want to approach this today not to deluge you with facts but to be cooperative in every way we can. Eagle Med is a branch of a service that includes fixed wing aircraft and those fixed wing aircraft are based in Hays, Garden City, and Wichita. Eagle Med has been in business for quite some time. They are fully licensed by the State and fully approved by the FAA with Part 135.

“Our position is that we should be allowed to assist Sedgwick County in any way possible by sharing on an equitable basis the needs of the community. Right as of this point of time, I have in my possession a written memorandum from Harper County. We have a written understanding with Kingman County. We have understandings with Pratt County, Cowley County and Sumner County, and as late as last night we were called out to Kingman County. Kingman County has us on a rotation basis on even days, odd days with Lifewatch. That’s how they perceive it. I researched as much as I can in the United States all possibilities on how this could be approached and most communities do not have the home rule issue as you do. Most communities do not have written contracts, they have understandings between the EMS and the individuals.

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“Commissioner Miller, to your question, many of them are ordinances that provide for how things would operate even if there is more than two services. An example of that is Tulsa, Oklahoma, that has two services but three helicopters. Tulsa places one service on call one month and the other service on call the other month. The other service that is not on call is back-up at all times. Based upon that, they also have a very unique procedure regarding which hospital a patient might go to. That’s an example. I’ve shared all this with staff. We worked closely with your legal staff, with Michelle, and I’ve given them all the information I have.

“We have contracted with RMH, Rocky Mountain Helicopters to provide our helicopter service. They have 37 contracts across the United States and they have access to a multitude of information regarding many issues and we tried to share that with staff. Today, we’re suggesting in a short term that we be allowed to operate on whatever basis you wish us to operate. If you want us to just be back-up until we have a written agreement with you that’s perfectly fine with us. If you want us to operate as of today to be there for Sedgwick County, that’s perfectly fine with us. Whatever is best for Sedgwick County is what we want.

“Our suggestion is and the final analysis that the County be divided geographically east of Hydraulic and west of Hydraulic. That’s our suggestion and we get this from the dispatchers that we’ve talked to. They think that’s the best way this can be accommodated. Any scene in the west quadrant would be addressed by my client, Eagle Med. Any scene in eastern Sedgwick County would be met by Lifewatch. But, at all times, we would be available as back-up if necessary. One thing that most people don’t know is that helicopters are down one hour of maintenance for every hour of operation. So there is a planned down time for every helicopter. That needs to be built into the system too and we’re fully willing to sit down with EMS, with Lifewatch, anyone that wants to discuss how this can work with us and if you have questions, I’d be happy to answer them. Iva Ballard is here who is co-owner, she’d like to speak as well. Randy Nyp, the CEO of Via-Christi Regional Medical Center and Dr. Hyder who is on the Sedgwick County Medical Society Board and if you have questions for me, I’d be happy to answer them. Otherwise, I’ll let the other speakers speak.”

**Chairman Schroeder** said, “Thank you. I see no questions at this point. Next speaker.”

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**Ms. Iva Ballard**, Co-owner, Ballard Aviation and Eagle Med, said, "We certainly appreciate the expeditious manner in which you put us on the schedule on the agenda this morning. I can't add too much to what Mr. Roach has already said other than to offer you the fact that our crews are very highly experienced. I'm extremely proud of our perfect safety record. Safety is no accident and is a planned situation. We actually have packets, if you would like, I would pass that out that shows the information on our crews. It also shows our licenses. Our pilots have 30,000 hours of flight time. All four pilots have extensive background in emergency medical transports. Our medical crews themselves have about 12 years of experience both in critical care and in emergency care. So that is for our emergency crews. Our medical doctor works in emergency medicine. He is also a flight surgeon and an air medical. He is over the air medical medicine for the Kansas Air National Guard. He is also a pilot with out 2,500 hours. So I don't know what I can add, other than to say we are flying. We are going to other communities and I think we're doing a very good job. We certainly want to offer our services in any way that we can work with this County. Thank you for your time."

**Chairman Schroeder** said, "Thank you Ms. Ballard, appreciate it. Next speaker."

**Mr. Randy Nyp**, CEO, Via-Christi Regional Medical Center, said, "I wanted to give you just a quick background to give you a little more information about air transportation. When patients are delivered to a medical center, the medical center then is responsible for paying the price or cost of that transportation and then of course would use billing procedures to collect appropriately. As a part of that then, over the years, we've had a contract with Lifewatch at Via-Christi to transport patients to the facility. Last year, we felt that we needed to change the contract that they were not meeting all of our needs and we went through some negotiations about changing the existing contract to allow individuals who want to be transported to our Level I trauma center at the St. Francis campus to be transported to the facility. Because of some of the requirements and the needs we had, we sent that request to Lifewatch and negotiations broke off and they were unable to meet our needs. At the same time, we've had a ten year experience using Eagle Med as well in transporting fixed wing from Hays, Garden City, and out in the surrounding state. At that time, they also showed some interest in getting into the helicopter service. We sent them the same requirements and they were able to meet what we needed in terms of transport services to Via-Christi. I think it is important that you understand this is really a vendor relationship trying to make sure that individuals that want to come and have chosen Via-Christi as their health care provider that they have access to a reliable transport service to make sure they can be transported to our facility for emergency care. We appreciate the County's offer to Via-Christi as an option to your employees and well over 800 of the County employees also have chosen Via-Christi to provide their health care to them. With that, I just wanted to give just a quick background on that. So we would still request that the Commission allow us to provide this service to the Sedgwick County residents. We're able to provide it throughout the state and we're just asking that it be done. We appreciate it."

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**Chairman Schroeder** said, "Thank you Randy. Appreciate your input today. I see no questions. Next speaker."

**Dr. Jace W. Hyder** said, "I'm speaking to you today with several hats on. I'm director of trauma at St. Joseph Medical Center. I'm a member of the EMS Advisory Committee and County Medical Society. I'm on the Board of Directors of Sedgwick County Medical Society. I have had an extraordinarily unique opportunity to be involved in all aspects of this situation as it exists today. In fact, I'm responsible for the last two paragraphs in the letter that was written to you and Mr. Schroeder on June 9. So I would like to speak to you in regards to the historical perspectives as to why the need arose to involve more than one rotor-wing aircraft in this community and as a trauma surgeon and as the surgeon who is receiving care from patients outside of this community. I have no qualms with the fact that there is a necessary need for more than one service that has arisen out of the conflict and controversy and breakdown in negotiations with the original intent of both institutions to have one joint venture. That is not working at this date and in order to provide the service for all the physicians in this County in an equitable manner, there exists a need for two rotor-wing aircraft. Understanding that, there are two rotor-wing services available, I think we do see an opportunity to increase the service that is par and standard of care for all metropolitan communities of this size. It is not unique to have more than one rotor-wing service available to many metropolitan communities across this country. That has been looked at.

"I had to step back and take a global view, or as in surgery, I call it a panoramic view. What does it look like if you come back three steps and take a look at it, as to what the role of the Medical Society was. I think that is embodied in the last two paragraphs of your letter if you would like for me to read it. Understanding that two rotor-wing services are now available in Sedgwick County, the Society insists that both services agree to interface in a cooperative and collegial manner to provide the 24 hour coverage which is complete and as much as humanly possible. I've paraphrased that a bit. But it says, to provide the 24 hour coverage to assure that patients are transported to the appropriate facility in an expeditious manner by proficient and credentialed personnel through immediately available transport per established phone calls. The Society would also expect equal credentialing, operational protocols and quality control processes with appropriate reporting of these items to the Medical Society of Sedgwick County. Further, the Society requests that both services operate in accordance with acceptable guidelines. CAAM, Commission on Accreditation of Air Medical services is probably the standard of care by which these groups need to meet. Neither one are currently at that level but both expect to achieve that and the Medical Society tasks them in this letter to do this within a reasonable period of time, i.e. three years. That is the perceived job of the Medical Society.

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“I would perceive it to be, and I don’t want to presume anything, but I would perceive it to be the duty of the County Commissioners to allow rotor-wing service to be provided to the citizens of Sedgwick County for as much of a 24 hour period, 365 days a year, as is humanly responsible and consistent with the standards which are kept by all metropolitan communities of this size in this country. That’s all I have.”

**Chairman Schroeder** said, “Okay, thank you very much Doctor for your input today. Next speaker.”

**Mr. Niels Vernegaard**, Chief Operating Officer, Wesley Medical Center, greeted the Commissioners and said, “My only comment today is really to talk about a call to common sense. As the County Manager has mentioned, over the past three years, there has only been 23 scene responses on average per year. You take that and divide that between two air ambulances and then four crews per air ambulance, we get down to a situation where each crew member is only seeing two to three scene responses per year. In none of our hospitals in this community would we allow a cardiac surgeon or a colon-rectal surgeon or a nurse or anybody to see a patient, operate on a patient, perform a procedure on a patient, if they only see that many patients a year. The reason being is that they have to maintain proficiency. So my call to you is to, through the negotiations with Lifewatch and with Eagle Med, is to ensure that we have some process in place to maintain the proficiency of our crews in order to maintain the best quality of care that we can for the citizens of Sedgwick County. Lifewatch has been providing that for nearly 20 years. We’ve got agreements with many of the counties that will maintain Lifewatch as a primary responder with Eagle Med as a back-up. Unfortunately, in this country, over the last six months, we’ve had four air ambulances crashed. Fifteen people have been killed. We need to make sure that does not happen here in Sedgwick County. That is my comments to you here today.”

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**Chairman Schroeder** said, "Thank you, Niels. I know there are questions here, but you might stay up at the podium, they may be for you. I've got two things. One, I want to make a statement. Last night, I happened to be watching the news and I saw a news broadcast by a young reporter who said that this was a political decision to be made in some ways. If that reporter were here today, I would tell her directly to her, that this is not political. This is a community issue. This is one where we have a provider willing to provide a service to the community as they see appropriate. This is a decision that has to be made by the Board of County Commissioners as to whether this is an appropriate service for us, whether it improves and enhances the emergency medical response of our community. This is not a political decision. I was very taken back by that comment. That does not serve our community well at all to make that kind of a comment. Obviously, that comes from inexperience, of not knowing how this community works and how this government works. We are obviously not going to make a political decision out of this. We are going to make an informed decision out of this information that we have today and hopefully make the best decision for this County that we can possibly make. I'm down off my soap box.

"One question for you Niels. Understanding that there are only 23 to 25 trips a year or patients that you transport a year, can you tell me what the financial impact is upon your hospital if you lose half of those or some portion of that."

**Mr. Vernegaard** said, "There is not going to be a great deal of financial impact on Wesley from losing 13 cases a year, assuming that we divide it up on half some way. Lifewatch is used mostly actually for inter-hospital transfer of trauma patients that were actually taken to another local hospital first and then brought into Wesley or Via-Christi. The financial impact of that decision, or the County's decision, is not that great on Wesley. The bigger impact is on our ability and on Eagle Med's ability to provide good quality of care at the scene for patients who are critically injured. It is going to be a challenge for both systems to maintain the proficiency of these teams with basically each team only seeing two to three cases a year."

**Chairman Schroeder** said, "I know there are lights up here, but there is a follow-up to that question. I see some familiar faces in flight suits and I understand that a lot of those people are our own EMS paramedics. They do maintain some proficiency because of their regular job, if you will, of being a Sedgwick County EMS Paramedic. Am I right in that sense?"

**Mr. Vernegaard** said, "I don't know what the situation is going to be with Eagle Med, if they are going to be EMS, or County employees working on Eagle Med and maintaining their proficiency that way. I have no idea. But those are things we all have to explore, is how to maintain the proficiencies of these crews."

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**Chairman Schroeder** said, "These crews are Type I capable crews that we have in service?"

**Mr. Vernegaard** said, "Dully qualified paramedics and nurses."

**Chairman Schroeder** said, "Okay, thank you. Commissioner Miller."

**Commissioner Miller** said, "Thank you Mr. Chairman. Let me get back to the 23 cases or patient cases that came to Wesley. Those came directly to Wesley?"

**Mr. Vernegaard** said, "Not all 23 cases come to Wesley. Sedgwick County protocols direct Wesley on where to go with the patients. All burn patients, for instance, go to Via-Christi. With the unfortunate accident we had out at the grain elevator. Lifewatch airlifted every one of those patients to Via-Christi St. Francis."

**Commissioner Miller** said, "My point is 23 cases within Sedgwick County. Do you get flights outside of Sedgwick County?"

**Mr. Vernegaard** said, "The total number of cases on an average, including Butler and the surrounding counties per year is about 52 to 55 cases per year. Adding all those together we can maintain a certain amount of proficiency by keeping the crews busy enough."

**Commissioner Miller** said, "So we're talking more like 50 plus, not just 23. We're simply looking at it from a birds eye view of Sedgwick County, correct?"

**Mr. Vernegaard** said, "Correct."

**Commissioner Miller** said, "But it is actually much broader than that. You do get cases from other counties?"

**Mr. Vernegaard** said, "Yes. But again, if you take those 52 and divide it in half, you're down to 25 per air ambulance, and then you divide that among four crews that provide 24 hour coverage, you're down to a small number of cases per crew. I just have to ask you as Commissioners, would you want to go to a doctor that might have only done three or four of those types of cases in the past year. Practice makes perfect."

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**Commissioner Miller** said, "I have one other comment. This might involve actually having Randy Nyp, CEO of Via-Christi, I'm not sure back up at the podium. There was a comment that was raised by Mr. Nyp. He stated that they were having some difficulties with Lifewatch and so therefore Lifewatch providing services and, therefore, they went out and were looking for a company that could provide exactly what you were looking for. Is that true Mr. Nyp? Have you experience any problems with Lifewatch or are you perfectly happy?"

**Mr. Vernegaard** said, "Commissioner Schroeder I think made a request that we don't turn this into a debate."

**Commissioner Miller** said, "Well, this is informed decision making and for me I'd like to have that information."

**Mr. Vernegaard** said, "The issues from Wesley's perspective came not down to the trauma issue because Lifewatch responds on Sedgwick County Medical Society protocols. We don't bring patients to Wesley because we have Lifewatch and not deliver to Via-Christi because Lifewatch is owned by Wesley. There is not one case that that has happened. The issue boiled down to really more the issue of neonatology. We do have in our contract with Via-Christi a clause that basically says that all of those neonates will come to Wesley. The reason being is that we feel we provide a significantly higher level of care in neonatology and that by diluting that we felt that that would not be of good outcomes for the community of Sedgwick County and neonatology. That is basically why the contract broke down."

**Commissioner Miller** said, "I've personally experienced that and I can attest to that, but, does that level out where you're strong in neonatology and St. Francis is strong in their burn unit. Those are specialities that one hospital . . ."

**Mr. Vernegaard** said, "Sedgwick County is unfortunately not quite big enough for every hospital to have the best in everything. We provide a good trauma service. We've got a good neonatal program. We've got good women's services. Via-Christi has excellent services for burn care and in other services. I don't think any of us are going to sit and quibble over those points. But just so you know, that is where the contract negotiations broke down. It broke down because of the issue with neonatology."

**Commissioner Miller** said, "Very good. Thank you."

**Chairman Schroeder** said, "Thank you. I think there is one other question. Commissioner Winters."

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**Commissioner Winters** said, "I just wanted to clarify again, how many total helicopter missions Lifewatch does in a year's time and how many total missions Lifewatch does totally on all their operation?"

Mr. Vernegaard said, "George Figgins is the director. About 400 rotor-wing per year total, 52 of those being trauma responses. Total operations with fixed wing included is about 1,200 a year."

**Commissioner Winters** said, "But your helicopter is doing some 400 and some odd missions every year?"

**Mr. Vernegaard** said, "That's correct."

**Commissioner Winters** said, "Thank you. That's all I have."

**Chairman Schroeder** said, "Okay. Thank you, Niels."

**Mr. Vernegaard** said, "Thank you for the opportunity to comment."

**Chairman Schroeder** said, "You bet. Thank you. I guess at this point Mr. Counselor, do you have anything you would like to add to the discussion today?"

**Mr. Euson** said, "No sir, I don't."

**Chairman Schroeder** said, "The Manager, he's stepped out. Commissioner Winters, do you have a comment?"

**Commissioner Winters** said, "Are we ready to start the discussion about this or do you have something else you want to add, that's fine."

**Chairman Schroeder** said, "No, that's fine. I'm just looking for a direction, whether we want to go into further discussion on this or whether we want to direct our staff to bring us back some information."

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**Commissioner Winters** said, “The two questions that I have and would like to have staff give us some input on is one, if we should decide to expand and initiate a contract with Eagle Med, how are we going to decide who gets called and how do we get the calls made. It would seem to me like the closest responder would be a way to do that but we need to be very clear. It sounded to me like there was some confusing ways that you could do that by alternating days and whatever. I would like to know how that would be addressed. Then, I guess without making a decision right now, I’m interested in the speed of which this can happen and if there is some way that we can consider immediate back-up to be preformed by Eagle Med. We hope that there is never an event like last Monday. If last Monday’s event had involved twice or three times the number of victims, I don’t want to be up here saying we didn’t call somebody that could have helped. I think it is probably very unlikely that we’ll have an event like that again but I think it is much more possible to have two severe car accidents on opposite ends of the County at the same time. That is not something that is out of concern. I’m interested in answering those two questions. I guess I’m ready to proceed on as quickly as we can with some kind of resolution.”

**Chairman Schroeder** said, “I think that Motion that we were handed probably includes your concerns about protocol and how that would be done. I think the EMS director and Medical Society and the Manager and his staff can probably team up and figure out how best to approach this, but we can include that when we get to that time. I’m sorry, Commissioner Gwin, I didn’t see your light on.”

**Commissioner Gwin** said, “That’s okay. I guess I have a question of Rich Euson. Rich, in one of the speaker’s conversations, the phrase vendor relationship was mentioned. That this is just one entity wanting to do business with another and I’m assuming . . . I guess my questions is can the County prohibit that kind of vendor preference of dealing with one company instead of another? I don’t know how we could legally do that.”

**Mr. Euson** said, “I’m not sure that I know how we could do that either in an air ambulance situation. We can certainly regulate and that is because they are governed by the FAA, we can certainly regulate and we do regulate the ground ambulance, ground transportation, emergency transportation. It is a little more difficult for us to regulate air ambulances.”

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**Commissioner Gwin** said, "Okay. I think my recommendation here would be to allow the Medical Society to assist us certainly our staff and EMS Director would be helpful. The insistence that these services cooperate, that we do have service available to all the people in this County as quickly and as expeditiously as possible, is important. I certainly agree with Mr. Vernegaard that some addition or some suggestion about how crews and staff are going to remain proficient needs to be added to those considerations. I'd be very comfortable asking the Medical Society to assist us in expanding the service available and to make sure that we have protocols and procedures and proficiencies and those kinds of things that meet the needs of the people of Sedgwick County. Thank you."

**Chairman Schroeder** said, "Thank you. Commissioners, I'm going to try a motion here and if you want to amend it, change it, agree with it, that's fine."

### MOTION

Chairman Schroeder moved to direct staff to prepare and return to the Board of County Commissioners an agreement regarding the use of helicopter services for emergencies dispatched within Sedgwick County and to negotiate such an agreement with represents of Eagle Med and Lifewatch. Such agreements should include all operational protocols necessary to ensure the public safety as well as that of emergency personnel.

Commissioner Gwin seconded the Motion.

**Chairman Schroeder** said, "Do you want that to include the Medical Society's participation in this?"

**Commissioner Gwin** said, "I've seconded so I guess now we can discuss. I have no problem with including them if we can do that pretty quickly. I don't know how quickly that can get back."

**Mr. Buchanan** said, "I don't know that it needs to be included. We will not make a decision and we will continue to ask the advice of the Medical Society. They will be included."

**Chairman Schroeder** said, "We do have a Motion on the floor but we don't have a time element on it. What is realistic to you in your estimation? A week? Two weeks?"

**Commissioner Winters** said, "I have a thought."

**Chairman Schroeder** said, "Since he is doing the work."

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**Commissioner Winters** said, "Since he is doing the work I want him to hear my thought. I want somebody to meet with Eagle Med this afternoon and make sure they've checked off on at least the preliminary foundations that it takes to operate a service and bring us back some kind of recommendation that we can put them on standby as soon as possible. If we have to act on that, that would be next Wednesday. If we can do that by having the Director of EMS check off on their certifications and their ability to fly a mission, we should start this evening."

**Chairman Schroeder** said, "I think you're going to have some formal approval by the Board of County Commissioners I think. I would hate to see us just tell the EMS Director to go ahead and start service and then have something go awry and not have taken formal action. But, Mr. Counselor, Mr. Manager he has a question here as to the time element."

**Mr. Euson** said, "There is really two issues. One is the long term and one is the short term. I think you could go ahead and vote on the motion regarding the long term issue and go ahead and approve that and then perhaps take up another motion dealing with the short term issue of bringing something back to you next week. That's what I would recommend."

**Chairman Schroeder** said, "So you're suggesting that the short term we may hear next Wednesday and the long term may take two weeks."

**Mr. Euson** said, "I'm suggesting there is a motion on the floor and I think you should vote on that and then bring up discussion as to Commissioner Winters concern about what to do in the short term."

**Chairman Schroeder** said, "Still looking for a time element, are you working on that? How about 15 seconds? How much time do you think you need to thoroughly review this and make a recommendation?"

**Mr. Buchanan** said, "We can begin discussions this afternoon. We will work diligently. We will give you a status report next week and the following week. I only can tell you how fast we can move and I can't guarantee how fast other folks can move."

**Chairman Schroeder** said, "Okay. Do we all understand then?"

**Commissioner Miller** said, "No, clarify then."

**Chairman Schroeder** said, "Can you clarify that for Commissioner Miller?"

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**Commissioner Miller** said, "Well you're question was, we have a Motion on the floor, we need to vote on that. I think yours is attuned to the long term?"

**Chairman Schroeder** said, "The motion here is dealing with the long term issue. Tom's is, he wants to deal with the short term as to whether Eagle Med can proceed or do we need to wait until next week after we have our folks do all the proper paper work and discussions and interviews as to their capabilities et cetera. So we have two issues we're bouncing around. Let's say before we vote on this that this discussion today is no way indicative of Lifewatch's ability to serve this community. I want to make you all aware of that today. This is not an indicator that Lifewatch does not provide a good service to the community. It has provided an excellent service to Sedgwick County and the entire region and we appreciate that. This again is a business situation with another entity that wants us to include them in the process and that's the decision we have to make. In no way does this suggest anything about your ability to serve the patients in this community and we thank you for the work that you've done for the past 20 years. It has been wonderful."

**Commissioner Winters** said, "The only thing that I would then add about the short term. I'd be comfortable and support this Motion as it is if we can have this as an agenda item next week and either with an update or, if it is ready, to be done then we can do some kind of interim before we get the long term. I'd be comfortable with a short term solution just having it on next week's agenda."

**Chairman Schroeder** said, "Okay, that's fine. Further discussion on this motion? If not, Clerk call the vote."

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. Now do we want to deal with the business of short term?"

**Commissioner Winters** said, "I would be comfortable if the Manager and you are willing to put it on the agenda for next week and just have this item on there and then they can give us an update. If they've got something finalized then so be it. If they don't, they can tell us where they are in the process of finding a short term answer."

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**Chairman Schroeder** said, "Okay. We'll just include that in the process. Any other questions or comments Commissioners? Okay if not, ladies and gentlemen, thank you all for being here today and being so patient. We appreciate your input and your time. Thank you. We're going to take about a ten minute recess."

**The Board of Sedgwick County Commissioners recessed at 10:47 a.m. and returned at 11:03 a.m.**

**Chairman Schroeder** said, "I'll call the Regular Meeting of the Board of County Commissioners back to order. Before we go on to Item D under New Business, the Manager has some additional information regarding the issue we just discussed, helicopter service in Sedgwick County."

**Mr. Buchanan** said, "Commissioners, we just had an opportunity to talk with Tom Pollan regrading Eagle Med's ability to provide service. They are not capable of doing that yet. They don't have the right radios. There is no way in which we can communicate with them. Those radios will be installed either today or sometime before the end of the week. Once that occurs, we will then be in a position to be able to use them on a stand-by basis. But it is just physically not appropriate for us to be using them at this moment, because they don't have 800 MHZ radios. That's nothing critical, it is just a fact. They've ordered them."

**Chairman Schroeder** said, "Very good, thank you. Commissioners, comments on that issue again? Next item please."

### **NEW BUSINESS**

#### **D. CONTRACT WITH HUNTER HEALTH CLINIC, INC. TO PROVIDE PSYCHOLOGICAL SERVICES TO HOMELESS PERSONS.**

**Ms. Deborah Donaldson**, Executive Director, COMCARE, greeted the Commissioners and said, "This is a contract that we have had for quite a while with Hunter Health Clinic and they provide funds to us to provide services to the homeless population. These are Stuart B. McKinney funds. They provide funds that help pay for a social worker and a half-time clerical position. I would recommend you approve the Contract."

**Chairman Schroeder** said, "Thank you, Debbie. Discussion on this item?"

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**MOTION**

Commissioner Hancock moved to approve the Contract and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thanks, Debbie. Next item please."

**E. RENEWAL AGREEMENT WITH KANSAS STATE DEPARTMENT OF EDUCATION TO PROVIDE MEAL REIMBURSEMENT FUNDS.**

**Mr. Mark Masterson**, Director, Department of Corrections, greeted the Commissioners and said, "Our youth services division provides food services to clients housed in our juvenile correctional facilities. We qualify for meal reimbursement for breakfast and lunch from the Kansas Department of Education under the National School Lunch and School Breakfast Program. We participated in this program since 1982 and we receive a little more than \$100,000 annually in reimbursements. Before you today is a renewal of the agreement for the '98 - '99 school year. Be happy to answer any questions."

**Chairman Schroeder** said, "Okay, thank you Mark. Discussion on this item?"

**MOTION**

Commissioner Gwin moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

There was no discussion on the Motion, the vote was called.

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**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you, Mark. Next item please."

**F. FLOOD CONTROL MONTHLY REPORT.**

**Mr. Steve Lackey**, Director of Public Works, City of Wichita, greeted the Commissioners and said, "I have a handout that I'd like to give to each one of the Commissioners. The map I'm handing out will help define some of the things that I've included in my monthly report. The numbers on the map will indicate some of the areas that we've worked in in the last month and included in my monthly report there were items one through seven, and those items are depicted on the map to give you an idea of the different locations we've worked. In location one, which is the main branch of the Chisholm Creek, East Broadway, we performed some maintenance on trimming trees and hauling brush out of the channel that was located up there. Item two, the crews seeded and fertilized some areas of the banks along the Little Arkansas River, and you can see that that is just west of Valley Center. In addition to that, we've performed some bank stabilization in the small area, which is just west of Valley Center. Item three is not on the map but we performed maintenance on 65 different gate structures that were along the floodway. For your information, there are about 340 different gate systems on the facility. So, roughly, one fifth were maintained during the last month.

"Item four activity was removing debris and lot buildup on the log boom just upstream from the Central Avenue dam, which is located on the Little Arkansas River in the central city. Item five, maintenance performed on some roadways and ramp access to the flood control project, which again is south and west of Valley Center and just upstream from the Big Arkansas River. Item six is not on the map but we read 122 stream and rainfall gages along the facility. We use that data to forecast floods downstream and also provide that information to the core of engineers in Tulsa.

"Item seven is a description of what I already detailed north of the City up around Valley Center also includes some slope stabilization work that we performed on the Big Ditch south of Kellogg and north of K-42, which is completing some of the repair work that was started by the City and the County a couple of years ago. Also maintain some of the area that had eroded due to previous flow. If you have any questions, I'd be glad to answer those questions at this time."

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**Chairman Schroeder** said, "Steve, I appreciate your report. I see no questions. Commissioner Winters does have a question."

**Commissioner Winters** said, "Just a quick question, informational I guess. In a couple of spots I see a lot of little trees starting to grow up. Do they cause a problem, or do they have to be taken care of or will some day this look like a regular river lined with trees? How do you handle that situation?"

**Mr. Lackey** said, "When we have a significant amount of tree buildup, and we need to get our maintenance crews in, depending on different reaches of the floodway, we notify the core of engineers, and also some of the other permitting agencies, and we have to get their approval to go in and remove a lot of those."

**Commissioner Winters** said, "The trees are not a good thing."

**Mr. Lackey** said, "No, not a good thing in the flow line particularly."

**Commissioner Winters** said, "Okay, thank you."

**Chairman Schroeder** said, "Any other questions? Thank you, Steve, appreciate the report."

**MOTION**

Commissioner Gwin moved to receive and file.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. Next item please."

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**G. CAPITAL PROJECTS DEPARTMENT MONTHLY REPORT.**

**Ms. Stephanie Knebel**, Capital Projects Department, greeted the Commissioners and said, “You have in front of you the monthly report for month ending as of June 2, 1998, concerning outstanding capital projects that we’re working on. Just to provide some information that is not included in there, we have three projects that are out for bid and we’re continuing to work on different ANE services for projects at the juvenile detention facility. We’re in the preparation of recommended budget preparation. I’m available for any questions on these projects.”

**Chairman Schroeder** said, “Thank you. I see no questions Stephanie. Discussion? If not, what’s the will of the Board?”

**MOTION**

Commissioner Gwin moved to receive and file.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Thank you. Next item please.”

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### H. KANSAS COLISEUM MONTHLY REPORT.

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "The month of May, we had a total of 19 events, 39 performances, and a total attendance of over 57,000 people. That is kind of unusual. May is usually the time we start getting slow for the summer time. This May we were pretty active. The highlights were our first ever tattoo convention, WCW Wrestling event, our third outdoor concert which was Spring Jam '98. We had obviously our numerous graduations and we do just about all the graduations now. We had two final play-off games with Thunder Hockey. WCW Wrestling was significant in the fact that it was the tenth highest non-concert reported gross in the country for that week. We actually beat the grosses on the same floor for Topeka, Des Moines, Iowa, Omaha and Savannah, Georgia. Our next event is going to be Monday night, November 16. It is going to be a live televised event on national TV with wrestling. Mark your calendars.

"The tattoo convention was pretty interesting in the fact that we had 2,000 people attend this event. In our events, this was a first time event, we may be on the curb of a new trend here, because New York City three weeks later had their first ever tattoo convention. It was attended by 40,000 people. LA had one a week after that. We were actually ahead of both costs. So we may be seeing the beginning of a new trend here. The event has rebooked here for next year. Looking forward to it

"Like I said, we're in our summer mode now. We're getting some things painted. We're getting some of the horse stalls straightened out because we are slow. Now we can take care of some of that maintenance. We start to pick up again in August when we have the Oz Fest, and we have a big convention, the Women of Faith coming in this year, and again the Ringling Brothers Barnum Baileys Circus. If you have any questions, I'd be happy to answer them at this time."

**Chairman Schroeder** said, "Thank you, John. Questions or comments? Way to go on that tattoo convention. It's great. I'm glad we're ahead of the curb on that one. Further discussion on this item? If not, what's the will of the Board?"

#### MOTION

Commissioner Hancock moved to receive and file.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

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**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Thanks, John. Next item please.”

**I. METROPOLITAN AREA PLANNING DEPARTMENT MONTHLY REPORT.**

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “We had a request for a tattoo convention. I think that falls under indoor recreation. We did have a heavy case load in current plans again in the month of May. Overall, we are about 30% over our current case load in 1997, especially subdivision plats are up about 50% over last year. One interesting thing, it is not in May, but in the recently closed cases that are filed for our first meeting of July, the Planning Commission has six zoning cases and conditional uses, all of which are in the unincorporated areas. We also drafted amendments to the vacation ordinance and resolution. We talked to you at your staff meeting about that yesterday. Just one more thing that I’ll mention on that is the amendments that we’ve drafted deal with jurisdiction of the Metropolitan Area Planning Commission. There are about 60 square miles that are in the jurisdiction extraterritorial subdivision jurisdictions of Derby, Mulvane, Haysville, and Valley Center. Those have their own processes and those will still be coming to you via those cities and their Planning Commissions and you will still be even after these amendments either having the public hearings through those bodies or working out similar agreements with them. So what we’ve talked about yesterday just has to do with changing the jurisdiction with the change of public hearing to the Planning Commission in the area the Planning Commission has jurisdiction.

“We’ve also begun drafting amendments to the subdivision regulations. This is a very large job. The last major effort was probably in 1991. There are some additional changes in State law that we can take advantage of, like expanding the ability to do lot splits beyond just two platted lots to more. So we’re going to try to take advantage of those and update our standards in the subdivision regulations.

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“The Comprehensive Plan, we’ve completed the last two of the stakeholder meeting reports on transportation and on commerce. I think we provided you, along with the Planning Commission, copies of those reports. We are continuing to work on the survey. We are in that pretesting mode that we talked about last month. Still refining the questions. We have a contract with a consultant to actually administer the survey and analyze the results that will be going to the City Council on their agenda next week. We’re doing a lot of technical work relating to getting the transportation model up and running and trying to identify where employment is located today, which is a more difficult job than trying to figure out where the population is located. We have to use a lot of different sources and put them together. We’re also trying to examine cumulative trends that have occurred in the County over the last several years by combining the annual development trends reports that we’ve been providing you. Then, our next efforts will be then to try to project and distribute where we think future population and employment are going to be located and identify what transportation and other community facility needs are going to be needed to deal with those.

“In transportation, much of the work has involved the continuing negotiations with the Union Pacific Railroad and also on behalf of the City with the Omnitrax Railroad, which is the local short-line railroad, working towards an agreement on how to help finance improvements to separate vehicles and trains in Wichita and in Sedgwick County. There is also, as you know, a contract that we worked on to amend the contract that has already been on board doing some engineering surveys to look at impact on land use and on access and other environmental impacts of possible grade separations in Wichita and Sedgwick County. Those will include a couple of the potential grade separation areas that are outside of the City of Wichita, specifically at 47th Street and the Burlington Northern near Boeing and also 71st Street in the Haysville area. We’ve also been participating along with the City and County Engineers in a study contracted by KDOT (Kansas Department of Transportation) to look at intelligent transportation systems, and technology, and ways to use technology to try to help manage traffic in the community.

“Someone from my staff accompanied someone from the Health Department recently up to a EPA conference in Kansas City to talk about what kind of voluntary air quality control measures might be appropriate for the City and the County to be considering because of recent changes in the way the Ozone is measured by the federal government and the possible consequences that the City and County may be facing the accedences of those new standards and that would result in our becoming a **non-attainment** community in the worse case, which we hope to avoid. I’ll try to answer any questions that you have about the month of May or any other questions.”

**Chairman Schroeder** said, “Questions? Commissioner Winters.”

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**Commissioner Winters** said, "In your talking about transportation projections and the future transportation, where are you in that process that you described? Is that part of the Comprehensive Plan?"

**Mr. Krout** said, "That is part of the Comprehensive Plan. We had to move ahead to help Bucher Willis, the Consultants who were working out in the northwest quadrant, and do some projections for them and provide them with some best guesses at the time about population and employment without looking at the whole rest of the region. So now we're going back and trying to refine that and look at the rest of the community."

**Commissioner Winters** said, "What's the target date for the rework of the Comprehensive Plan?"

**Mr. Krout** said, "Our obligation is to submit an updated plan to the federal agencies by the end of 1999. What we're hoping is that we can get a lot of technical work done over the summer months, have the Planning Commission conduct community dialogue sessions in the fall months. The Planning Commission then would take all that information plus the results of the survey and other work and would spend probably two to three months actually drafting the updated plan and then submit those to the governing bodies in the spring of next year."

**Commissioner Winters** said, "So in the Spring of '99?"

**Mr. Krout** said, "That's when the governing bodies can anticipate seeing it, although we hope to share information and have workshop sessions with you before then too."

**Commissioner Winters** said, "Good. I think it is a good idea that you're coming now and giving us a report on our agenda on whatever basis of that, monthly or whatever. If there is a way that this report needs to turn into more of a discussion process I'd be supportive of doing that if you need to have input or direction from the Commissioners on what we're thinking about a particular part of that plan. I think that plan has become so important that if there is opportunity for us to have some input early on, as opposed to after it is bound up and sealed, I think that would be a plus. I would encourage you to bring some challenges to us at this. We may not be able to give you answers, but I'd certainly build wanting to know what the Planning Commissioners are dealing with, or struggling with, or asking questions about so we might be informed about that."

**Mr. Krout** said, "Okay."

**Chairman Schroeder** said, "Thank you. Other questions? If not, what's the will of the Board?"

**Regular Meeting, June 17, 1998**

**MOTION**

Commissioner Hancock moved to receive and file.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you, Marvin. Appreciate it. Next item please."

**J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JUNE 11, 1998  
REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the June 11 meeting of the Board of Bids and Contracts. There are six items for consideration.

**(1) NON-ELEVATED TRANSPORTABLE BLEACHERS - KANSAS COLISEUM  
FUNDING: KANSAS COLISEUM**

"Item one, non-elevated transportable bleachers for the Kansas Coliseum. It was recommended to accept the only bid received of Charron Sports Services. That amount is \$33,555.

**(2) STEEL CULVERTS - BUREAU/PUBLIC SERVICES  
FUNDING: BUREAU/PUBLIC SERVICES**

"Item two, various steel culverts for the Bureau of Public Services. It was recommended to accept the low bid of Big R Manufacturing and Distributing. That amount is \$9,502.

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**(3) ROTARY MOWER - MOTOR POOL**  
**FUNDING: MOTOR POOL**

“Item three is a rotary mower for the Central Motor Pool and Lake Afton Park. It was recommended to accept the low bid with trade of Wichita Ford Tractor, Inc. That amount is \$6,351.05.

**(4) FOUR DOOR SEDAN - MOTOR POOL**  
**FUNDING: MOTOR POOL**

“Item four is a four door sedan for the Central Motor Pool and the Department of Corrections. It was recommended to accept the only bid received from Rusty Eck Ford. That amount is \$15,950.

**(5) TRAVEL AGENCY SERVICES - PURCHASING**  
**FUNDING: VARIOUS DEPARTMENTS**

“Item five, travel agency services. I might note that this is a cooperative arrangement and project between the City of Wichita, the Wichita Public Schools, and Sedgwick County. It was recommended to accept the proposal of Warren Travel. Our estimated amount of airfare purchases will approximate \$100,000. There are three pages of recommendation information attached for your review.

**(6) PLAT SCANNER SYSTEM - GEOGRAPHIC INFORMATION SYSTEMS**  
**FUNDING: GEOGRAPHIC INFORMATION SYSTEMS**

“Item six is a plat scanner system for Geographic Information Systems Department. It was recommended to accept the proposal for the outright purchase cost of Kansas Blue Print. That amount is \$36,056. There are two pages of information provided from Scott McBride, the Director of the Geographic Information Systems (GIS).

**Regular Meeting, June 17, 1998**

**ITEMS NOT REQUIRING BOCC ACTION**

- (7) FIRE HOSES & COUPLINGS - FIRE DEPARTMENT  
FUNDING: FIRE DEPARTMENT**
  
- (8) PAYROLL AGENT - COMCARE  
FUNDING: COMCARE**

“There are two items that do not require action at this particular time. Those include fire hoses and couplings for the Fire Department. That item was tabled for review. There are several pages of tabulations attached. Also, payroll agent services for COMCARE, those proposals are being reviewed. I’ll be happy to take questions and recommend approval of the minutes provided by the Board of Bids and Contracts.”

**Chairman Schroeder** said, “Thank you, Darren. Discussion on this item? If not, what’s the will of the Board?”

**MOTION**

Commissioner Miller moved to approve the recommendations of the Board of Bids and Contracts.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Thank you, Darren. Next item please.”

Regular Meeting, June 17, 1998

**CONSENT AGENDA**

**K. CONSENT AGENDA.**

**1. Right-of-Way Instruments.**

Three Easements for Right-of-Way, two Temporary Construction Easements and one Dedication of Right-of-Way for Sedgwick County Project No. 639-30-690, Bridge on 83rd Street South over the Arkansas River. KDOT Project No. 87-C-3094-01. CIP #B-219. Districts #2 and #5.

**2. Section 8 Housing Assistance Payment Contract.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C98027	\$450.00	5	Debbie Valdez

**3. The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V74001	\$161.00	\$78.00
V98023	\$375.00	\$94.00
V98020	\$310.00	\$160.00

**4. Addendum to Contract with RISE, Inc. allowing overnight respite and wellness monitoring services in Sedgwick County.**

**5. Order dated June 10, 1998 to correct tax roll for change of assessment.**

**Regular Meeting, June 17, 1998**

**6. Plat.**

Approved by the Bureau of Public Services. The County Treasurer has certified that taxes for the year 1997 and prior years are paid for the following plat:

Heartland Acres Addition

**7. Consideration of the Check Register of June 12, 1998.**

**8. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980288	Geographic Information Systems	Transfer
980289	COMCARE Developmental Disabilities	Transfer
980290	COMCARE-Crisis	Supplemental Appropriation
980291	COMCARE Hunter Health Clinic	Supplemental Appropriation
980292	COMCARE-ACCESS	Supplemental Appropriation
980293	Special Highway Improvements	Transfer

**Mr. Buchanan** said, "Commissioners, you have the Consent Agenda and I would recommend you approve it."

**MOTION**

Commissioner Miller moved to approve the Consent Agenda as presented.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**Regular Meeting, June 17, 1998**

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. At this time, I'll recess the Regular Meeting."

**The Board of Sedgwick County Commissioners recessed to the Sewer District meeting at 11:25 a.m. and returned at 11:28 a.m.**

**Chairman Schroeder** said, "I'll call the meeting back to order. The Regular Meeting of the Board of Sedgwick County Commissioners. Other business?"

**L. OTHER**

**MOTION**

Commissioner Hancock moved that the Board of County Commissioners recess into Executive Session for 20 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to pending claims, litigation, and legal advice, and that the Board of County Commissioners return from Executive Session no sooner than 11:45 a.m.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Regular Meeting, June 17, 1998**

**Chairman Schroeder** said, "Thank you. We are in Executive Session."

**The Board of Sedgwick County Commissioners recessed into Executive Session at 11:28 a.m. and returned at 12:15 p.m.**

**Chairman Schroeder** said, "We're back in session. Let the record show that there was no binding action taken in Executive Session. Mr. Counselor, do you have anything to add? Mr. Manager? Commissioners? Then if there is no other business, we're adjourned."

**M. ADJOURNMENT**

**Regular Meeting, June 17, 1998**

There being no other business to come before the Board, the Meeting was adjourned at 12:15 p.m.

**BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS**

\_\_\_\_\_  
**MARK F. SCHROEDER**, Chairman  
Fifth District

\_\_\_\_\_  
**PAUL W. HANCOCK**, Chairman Pro Tem  
Second District

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**BETSY GWIN**, Commissioner  
First District

\_\_\_\_\_  
**THOMAS G. WINTERS**, Commissioner  
Third District

\_\_\_\_\_  
**MELODY C. MILLER**, Commissioner  
Fourth District

ATTEST:

\_\_\_\_\_  
**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1998